

March 12, 2002

Criminal and Juvenile Justice Consortium

Listing of research projects (1998-present)

Completed:

Utah Day Reporting Center (In report entitled "Commission on Criminal and Juvenile Justice: Program Evaluation and Review") (It is the third of three reports in that binder)

Request from the Utah State Department of Corrections to conduct a study of the effectiveness of Day Reporting Centers operated by the Department. Legislature needed information in order to determine funding priorities for the Department:

Findings: DRC had a one-year recidivism rate of 44.8% with 55.2% remaining completely free of any charge for one year following discharge. Removing technical charges the recidivism rate dropped to 33%.

(1) Subjects displayed a statistically significant reduction in alcohol and drug, property crime, and overall criminal charges during the first year subsequent to receiving DRC services. (Offending did increase after the first year)

(2) The duration of DRC services was significantly related to the reduction in alcohol and drug and overall criminal charges during that period.

(3) The DRC's assessment of subject's success at discharge from the DRC showed a statistically significant relationship with reductions in the number of post DRC alcohol and drug charges.

We did not have a control group to do a comparison study. It would be very useful to compare these results with those offenders leaving prison or jail, who did not receive the services of a DRC. The anecdotal information collected from staff in adult corrections suggested that the recidivism rates of the DRC were very low and that they doubted that those not participating in the DRC would approximate those levels.

Racial Bias in The Utah Criminal Justice System

We worked with the Task Force on Racial and Ethnic Fairness of the Utah Judicial Council to produce a study that would address racial bias in both the juvenile and adult systems in Utah. Two reports were published in September 2000. These studies focused mainly on the perception of bias due to a lack of data concerning race and ethnicity in the records of the criminal justice system.

Adult system research consisted of:

Community Resources Research

- Client focus groups
- Program staff focus groups
- Program administrator survey

Courts Research

- Comparison of pre-sentence recommendations, sentencing guidelines and actual sentence by minority status, 1999.
- Jury Selection Process study
- Pre-Sentencing Process analysis
- Pre-Sentencing Investigation report evaluation

Post-Adjudication Research

- Utah Department of Corrections prison population by minority status, 1990-1998
- Number and percentage on probation, in prison, and on parole by minority status
- Incarcerated population by offense categories and minority status
- Salt Lake County Jail bookings by minority status, 1996-1998
- Utah State Prison inmate disciplinary rates by minority status

- Inmate release length of stay by minority status
- Length of stay in months for probation and parole supervision and percent in violation by minority status
- Rates of receiving recommended guidelines for prison or probation by minority status

Proposed future studies on racial and ethnic bias in the criminal justice system:

- Prosecutorial discretion
- Private vs. public legal representation
- Pre-sentence investigation reports
- Representation on juries
- Effect of credit for time served on prison length of stay by minority status
- Bootstrapping

Minority Overrepresentation in the Utah Juvenile Justice System

Juvenile System research resulted in a completed study submitted to the Task Force confirmed overrepresentation of minorities in the Utah juvenile system

- Perception of racial profiling by personnel in that system
- Perception of lack of proper representation in court
- Professionals demonstrated unconscious racial and social class bias

Alternative Incarceration for Juvenile Offenders: Electronic Monitoring and Detention

Alternatives for Responsible Teens

This study provided information to the Division of Youth Corrections regarding the effectiveness of two programs that were being developed as alternatives to detention. The recidivism rate for the Detention Alternatives for Responsible Teens (DART) program was 68.3% and for electronic monitoring (EM) it was 54.2%. This seems high but the rate may be attributable to technical charges, the database would not give us that information. When youth are placed on intensive supervision the technical violations usually increase making recidivism rates appear higher than they might be for youth placed on less intensive caseloads. In looking at recidivism rates from other, more expensive programs, these rates appeared to be modest.

Suppression rates (rates of pre v. post offending) were 42.7% for DART and 59.1% for EM.

These are very modest suppression rates. Rates of suppression of 70 to 80% are not uncommon.

These programs should be reviewed again. Technical charges need to be removed from the analysis. Recidivism rates should decrease and suppression rates decrease after the removal of technical charges. If this does not occur the continuation of these programs should be questioned.

Drug and Alcohol Use among Juvenile Probationers in Utah. (Steve Harrison, P.I)

Dr. Harrison has been conducting these surveys since 1992. This survey showed that probationers used more alcohol, tobacco, and other drugs than youth in the general population and were more at risk for mental health problems, delinquency, and antisocial activities. When youth in this population were compared to youth in the general population probationers have more risk and less protection for substance abuse and other problems in the four important areas of their daily lives: the community, the family, the school, and within their peer interactions. The use of marijuana, inhalants and cocaine are up from 1992 survey levels. Females in particular are in more need of treatment than reported in 1992. The percentage of females that need treatment in 1997 is higher than the percentage of males that need treatment. 32% of youth on probation meet the DSM-III-R diagnosis of substance abuse or dependence. The estimate of youth in the general population that need substance abuse treatment is 7%.

The arrest rate for juvenile drug violations points to a greater substance abuse problem for youth currently on probation. The arrest rate for drug law violations per 100,000 juveniles (age 10-17) increased from 188 in 1991 to 685 in 1995. (This is a 1997 report. Survey has not been administered since that time so 1995 figures would be most current available.)

The Grade Court Program in New Mexico

A judge in Farmington, N.M. requires youth that fail in school to report to his court. Court is held in the evenings, and parents also attend. He requires that the youth make book reports and attend classes. A problem with the program is that he uses detention to enforce his orders (a violation of the Juvenile Justice and Delinquency Prevention Act of 1974). We found that delinquency did reduce among the participants. Those who completed the grade court did much better than those who did not. School attendance did increase but GPA was not affected. We were interested in pursuing this evaluation to include youth attending the grade court but not utilizing detention to enforce the court order. Utilizing work crews, community service, home detention etc. and comparing it with detention utilization as an enforcer would allow the court to determine if it could be as successful with this program without the improper and costly use of detention.

A Case for Intermediate Sanctions

This was written as a *primer* for legislators. It provides a discussion of intermediate sanctions, the efficacy and cost of incarceration, the uncertainty in sentencing that comes from a lack of alternatives and the case for intermediate sanctions. Intermediate sanctions are defined as interventions that are beginning to fill the sentencing gap between prison at one extreme and probation at the other. Examples of intermediate sanctions are then listed with descriptions given including monetary penalties, intensive supervision programs, house arrest, electronic monitoring, day reporting centers, and sex offender treatment.

A separate section outlines intermediate sanctions as part of the juvenile system.

A plan for implementing intermediate sanctions in Utah is then outlined.

A separate list of literature on sex offender treatment in intermediate sanctions is also provided in addition to the listing of references used to develop the paper.

Delinquency Prevention and Early Intervention: An Overview of Effective Programs

This is a discussion of prevention and early intervention written for distribution to interested legislators. Tries to make a case for risk based prevention programming focusing on early intervention. It lists early intervention programming from prenatal to mentoring of high school students.

Examining Religion as A Preventative Factor to Delinquency

This paper was developed in response to a request from a legislator who wanted to legislate morality education in the classrooms. He wanted us to tell him if the research supported such education in terms of reducing crime and delinquency.

Our literature review found that science has neither confirmed nor refuted the hypothesis that religion deters delinquency. "Despite numerous theoretical reasons for expecting religion to contribute to social conformity, social scientists cannot say with any confidence whether religiosity actually inhibits deviant behavior. Over forty years of research has produced results which are often interpreted as inconclusive or even contradictory."

Impact of an Early Intervention Mandate: The Juvenile Sentencing Guidelines and Intermediate Sanctions in Utah

In 1997 the State of Utah initiated an early intervention program designed to reduce juvenile crime. Comprised of juvenile sentencing guidelines, funding for 60 more probation officers and a

new intermediate sanction titled State Supervision, the program was designed to bring about a reduction in juvenile recidivism rates and reduce the number of offenders committed to the Division of Youth Corrections. This report, funded by the National Institute of Justice (NIJ) evaluates, over a three-year period, the impact of this early intervention program. A longitudinal analysis of recidivism profiles and rate of placement in Youth Corrections for first-time probation offenders sentenced before and after program implementation was utilized. Qualitative interviews and document analysis on the development of and attitudes towards the guidelines and intervention programs were conducted over a two-year period. The analysis showed that it is possible to effectively implement offense-based juvenile sentencing guidelines but the results of the courts implementation of intermediate sanctions was mixed. Statewide, state supervision offenders have higher contact frequencies and are involved in more programming than their probation counterparts but there were wide variations in results from district to district. The effects of the new program on re-offense were modest and reduced rates of commitment to the Division of Youth Corrections, a major goal of the initiative, were not achieved.

The Impact of the Serious Youthful Offender Law

This study reviewed the impact of the SYO act of 1995 that mandated adult corrections placements for youth 16 and over who committed certain crimes. The study found that the law was not being applied consistently across jurisdictions and that it had some unintended consequences that resulted in management problems of some offenders between the juvenile and adult corrections systems. Study found that if the intent of the law was to identify and incarcerate, in the adult system, the states most serious and chronic offenders, that intent had not been fulfilled. Study makes recommendations for changes in the statute including the inclusion of chronicity as a criterion for serious youthful offender status.

The Impact of Out-of-State Placement for Juvenile Offenders

During the 1990's the Utah Division of Youth Corrections obtained funding to secure contracts with residential programs located outside of Utah in order to increase placements for offenders in lieu of secure care placements. This study tracked these youth and reported re-offense rates for youth placed out-of-state are higher than those who are sent to a secure care facility but lower than those in community placement. While out of state offenders have a lower rate of re-offense than community placement offenders, this finding is in part a function of these youth being in a placement four times longer than youth placed into community placements. Reduced levels of offending for out-of-state youth when compared to community placement youth might be due simply to a longer period of incapacitation, rather than the type of program received.

Current Studies:

Utah Department of Corrections Community Interventions Study

This study will look at recidivism of parolees involved in four distinct programs operated by Adult Probation and Parole, including a new faith based initiative. In addition the study will look at recidivism rates from previous years and compare impact of new programming in comparison to rates prior to these interventions.

Mentally Ill Offenders at the Utah State Prison

Study will review every inmate at the prison with a diagnosis of mental illness from 1993 to present (approximately 3,000). The purpose of the study is to determine the availability of medication to paroled inmates and the impact of medication denial on recidivism rates.

Sex Offenders at the Utah State Prison

This study will look at all sex offenders committed to the prison in the last three years and the role plea-bargaining may have played in the conviction process. Committing offense is used for

treatment criteria, sex offender registry placement and release decisions. The study will document charged offenses, pled charges and the impact this may have had on treatment, placement and release decisions of each inmate.

Evaluation of the Utah Board of Juvenile Justice Grantees

The Consortium developed an evaluation protocol that the Board of Juvenile Justice (UBJJDP) adopted which will be given to each new grantee. The Consortium will use the evaluation protocol to report to the Board on the progress of individual programs in effecting change in their clients. The Board when determining continuation of funding for individual programs will then consider this information.

Bootstrapping

Follow-up to racial and ethnic fairness study that will look at cohort of youth in Weber County for evidence of “charge stacking” by police, prosecution or intake workers.

Representation of Minority Offenders

This study will review the availability of counsel (including minority counsel) for minority juvenile offenders, time in detention awaiting appointment of counsel, use of public defender v. private counsel and compare that data with a similar cohort of Caucasian offenders. Study will attempt to determine what impact, if any, counsel played in dispositions by comparing minority representation with non-minority representation.

Evaluation of State Supervision Programs

This study is a follow-up to the NIJ study completed by the Consortium. It will examine each of the programs funded by the legislature in order to fully implement the juvenile sentencing guidelines of 1997. The study will examine recidivism, suppression and cost of each new program. This data will be used to compare effectiveness of individual programs, program factors that might have influenced success and compare that success with program already in operation prior to the state supervision funding.

Grant Proposals Submitted:

Reclaiming Utah’s Future. Submitted to the Robert Wood Johnson Foundation, August 2001.

This was to be a statewide initiative that would implement innovative and significant systems changes to provide seamless delivery of services to court-involved youth with alcohol and other drug (AOD) issues. Not Funded.

Developing A Comprehensive, Research-Based System of Care: The Utah Juvenile Substance Abuse Treatment System. January 2002. Submitted to National Institute of Justice. Modification of Robert Wood Johnson proposal for developing a seamless service delivery system to substance abusing youth. Pending.

Service Predictors of Recidivism in Mentally Ill Parolees. January 2002. Submitted to National Institute of Justice (NIJ). Study is to determine relationship between participating in services and recidivism outcomes among mentally ill offenders (MIOs). Pending.

An Evaluation and Analysis of Factors Associated with Plea Negotiation Practices in the State of Utah for Sex Offense Cases. January 2002. Submitted to National Institute of Justice (NIJ). This study will assess the variables associated with plea negotiation processes in sex offense cases in the State of Utah between the years of 1996 and 2001. Pending.

Developing Community Alternatives to Detention. March 2002. Submitted to the Coalition For Juvenile Justice. This project will develop and conduct a written survey among the 56 member state juvenile justice advisory groups and a written analysis and report of the survey results with recommendations for actions to refine, replicate and expand detention alternatives. Pending.